



ERIE COUNTY
DEPARTMENT OF PUBLIC WORKS
JOHN C. LOFFREDO, PE COMMISSIONER

REQUEST FOR PROPOSALS (RFP)

**CONSTRUCTION MANAGEMENT SERVICES
ERIE COMMUNITY COLLEGE – SCIENCE, TECHNOLOGY,
ENGINEERING AND MATH (STEM) BUILDING**

PROPOSALS

Proposals are hereby requested for the subject project. Submit one (1) electronic copy in PDF format and four (4) printed copies of your proposal to John C. Loffredo, P.E., Commissioner of Public Works, Room 1408, 95 Franklin Street, Buffalo, New York, 14202, on or before 2:00 p.m. on January 20, 2015.

Reference Proposals as: **“Proposal for Construction Management Services, Erie Community College - STEM Building”**

Affix a label on the outside of the envelope in the upper left corner with the project name, affix a label in the center of the envelope addressed to the Commissioner of Public Works noted above. Clearly mark on the envelop **“CM PROPOSAL – DO NOT OPEN”**

The Proposals shall not exceed twenty (20) pages, double sided (printed on both sides) or forty (40) pages, single sided (printed on one side). Sectional Dividers can be used. Dividers will not be counted towards the maximum number of pages allowed. The proposal shall include a clear table of contents addressing all the requirements of the RFP. These requirements will be strictly enforced.

The Erie County Department of Public Works reserves the right to reject any or all proposals. This invitation does not commit the Erie County Department of Public Works, (hereinafter called DPW) to accept any proposal and does not obligate the DPW for any costs associated with the preparation of proposals.

The Erie County DPW reserves the right to review, comment and make modifications to the proposed project team.

If you have questions regarding this request for proposal (RFP), please contact Jeffrey Zack, P.E. at Jeffrey.Zack@eire.gov or (716) 858-8824, NO COMMUNICATIONS OF ANY KIND WILL BE BINDING AGAINST THE COUNTY, EXCEPT FOR THE FORMAL WRITTEN RESPONSES TO ANY REQUEST FOR CLARIFICATION.

EVALUATION and SCOPE OF SERVICES

The Construction Manager (CM) Selection Committee will evaluate Proposals to select a finalist.

The Proposals will be evaluated based upon the requirements stated in the body of this RFP. The committee will rank the firms in accordance with their determination of which firm is most qualified to do the work.

It should be noted that the CM will be selected strictly on the basis of experience, qualifications and availability. The firms with the highest ranking will be invited to an interview with Erie County's CM Selection Committee. CM Fees shall be included in a **clearly marked separate sealed envelope**.

The finalist will then be asked to negotiate a contract to provide the necessary Construction Management Services based on a modified AIA Document A133 -2009 SP Standard Form of Agreement Between Owner and Construction Manager as Constructor, for use on a Sustainable Project where the basis of payment is the Cost of the Work Plus a Fee with a Guaranteed Maximum Price (GMP). The CM may be required to draft a project labor agreement (PLA) and will hold all contracts (with the exception of the Architect/Engineer). The project will be LEED Silver Certified.

If contract terms cannot be reached with the finalist, the firm ranked in second place will be invited in for contract negotiations.

The above selection is subject to legislative approval.

THE PROJECT

The County of Erie, New York (hereinafter called the "County"), in close cooperation with Erie Community College, is managing the design and construction of a new Science, Technology, Engineering and Math (STEM) Building at Erie Community College (hereinafter called ECC), the estimated construction budget for this project is \$23 Million. The estimated construction time frame is fourteen (14) months with completion scheduled for July 2017.

To implement this important project Erie County will engage the services of, an Architect/Engineer (A/E) and a Construction Manager (CM) as constructor with a GMP.

PROPOSAL REQUIREMENTS

1. CONTACT INFORMATION

To facilitate communications regarding this RFP, please state clearly the following:

FIRM NAME:
CONTACT PERSON (NAME AND TITLE):
ADDRESS
TELEPHONE NUMBER:
FAX NUMBER:
E-MAIL ADDRESS:

2. PROJECT STATEMENT

A Project Statement is required of each firm submitting a proposal. The Statement shall not exceed two (2) pages, double sided, in length.

Each team can use this Statement to best describe their understanding of The Project and unique qualifications of the assembled team.

3. SERVICES

The following is a general framework of services to be provided by the Construction Manager. Yet, services shall not be limited by this framework. Instead, the candidate must describe, in detail, their understanding of the scope services required by this project.

DESIGN PHASE

1. Be familiar with the functions and responsibilities of the Client, Owner, Architect, Consultants and others involved with the implementation of the project.
2. Attend all meetings concerned with the project and report the proceedings to the Owner in writing.
3. In conjunction with the Architect/Engineer and the owner, establish mutually acceptable overall time schedule covering the required sequence of activities and the specific responsibilities for all parties involved in the project and a mutually acceptable schedule covering the Architect/Engineer's preparation of drawings and specifications and the owner's review and approval thereof for each phase of the project design through the award of all construction contracts. Monitor the activity of all parties as required to assure adherence to the schedule.
4. Provide preliminary evaluation of the program and project budget requirements, each in terms of the other. With the Architect's assistance, prepare preliminary estimates of construction cost of early, schematic designs based on area, volume or other standards, assist the Owner and the Architect in achieving mutually agreed upon program and project budget requirements and other design parameters. Provide cost evaluations of alternative materials and systems.

5. Review designs during the development and monitor the Architect/Engineer's progress, keeping the Owner advised as to progress at all times. Advise on-site use and improvements, selection of materials, building systems and equipment and methods of project delivery. Provide recommendations on relative feasibility of construction methods, availability of materials and labor, time requirements for procurement, installation and construction, and factors relating to cost including, but not limited to, costs of alternative designs or materials, preliminary budgets and possible economies.
6. Provide for the Architect's and Owner's review and acceptance, and periodically update a Project Schedule that coordinates and integrates the Construction Manager's, services, the Architect's services and the Owner's responsibilities with anticipated construction schedules.
7. Prepare, for the Owner's approval, a more detailed estimate of construction cost developed by using estimating techniques, which anticipate the various elements of the project and are based on Schematic Design Documents prepared by the Architect. Update and refine this estimate periodically as the Architect prepares Design Development and Construction Documents. Prepare a pre-bid construction estimate based on material quantity take-offs of the final construction documents. Advise the owner and Architect if it appears that the construction costs may exceed the project budget. Make recommendations for corrective action.
8. Review Contract Documents by consulting with the Owner and the Architect regarding Drawings and Specifications as they are being prepared, and recommend alternative solutions whenever design details affect construction feasibility, cost or schedules.
9. Provide recommendations and information to the Owner and the Architect regarding the assignment of responsibilities for safety precautions and programs; temporary project facilities; and equipment, materials, and services for common use of contractors. Verify that the requirements and assignment of responsibilities are included in the proposal Contract Documents.
10. Advise on the separation of the project into multiple contracts for various categories of work. Review the Drawings and Specifications and make recommendations as required to provide that (1) the work of the separate contractors is coordinated, (2) all requirements for the project have been assigned to the, appropriate separate contract, (3) the likelihood of jurisdictional disputes has been minimized, and (4) proper coordination has been provided for phased construction.
11. Develop a Project Construction Schedule utilizing CPM or other similar system as approved by the Owner, providing for all major elements, such as phasing of construction and times of commencement and completion required of each separate contractor. Provide the project Construction Schedule for each set of Bidding Documents.
12. Investigate and recommend a schedule for the purchase of materials and equipment requiring long lead time procurement, and coordinate the schedule with the early preparation of portions of the Contract Documents by the Architect. Expedite and coordinate delivery of these purchases.
13. Provide an analysis of the types and quantities of labor required for the project and review the availability of appropriate categories of labor required for critical phases. Make recommendations for actions designed to minimize adverse effects of labor shortages.

14. Identify or verify applicable requirements for equal employment opportunity programs for inclusion in the proposed Contract Documents.
15. Make recommendations for pre-qualification criteria for Bidders and develop Bidders' interest in the project. Establish bidding schedules. Assist the Architect in issuing Bidding Documents to Bidders. Conduct pre-bid conferences to familiarize Bidders with the Bidding Documents and management techniques and with any special systems, materials, or methods. Assist the Architect with the receipt of questions from Bidders, and with the issuance of Addenda.
16. With the Architect's assistance, receive bids, prepare bid analysis and make recommendations to the Owner for award of contracts or rejection of bids.
17. With the Architect's assistance, conduct pre-award conferences with successful bidders. Assist the Owner in preparing construction contracts and advise the Owner on the acceptability of subcontractors and material suppliers proposed by the contractors.
18. Prepare a manual of standard procedures for the project. The manual shall be issued as early in the Design Phase as possible and shall define the relationships between the Department of Public Works, the Architect and the Construction Manager. The manual shall be updated during the course of the project whenever necessary. The Construction Manager shall be responsible for the printing and distribution of the Procedure Manual.

CONSTRUCTION PHASE

1. Serve as the Owner's chief representative in the field and maintain liaison between the Owner and the Architect and all contractors.
2. Establish an organization to affect a positive means by which the project will be controlled, coordinated and expedited.
3. Expand the project "Procedures Manual" to include the various construction contracts. Implement said manual and enforce the procedures.
4. Provide administrative, management, and related services as required to coordinate work of the contractors with each other and the activities and responsibilities of the Construction Manager, the Owner, and the Architect to complete the project in accordance with the owner's objectives for cost, time and quality. Provide sufficient organization, personnel, and management to carry out the requirements of this agreement.
5. Schedule and conduct pre-construction, construction and progress meetings to discuss such matters as procedures, progress, problems and scheduling. Prepare and promptly distribute minutes.
6. Consistent with the Project Construction Schedule issued with the Bidding Documents, and utilizing the Contractors' Construction Schedules provided by the separate contractors, update the Project Construction Schedule incorporating the activities of contractors on the project, including activity sequences and durations, allocation of labor and materials, processing of shop drawings, product data and samples, and delivery of products requiring long lead time procurement. Include the Owner's occupancy requirements showing portions of the project having occupancy priority. Update and reissue the Project Construction Schedule as required to show current conditions and revisions required by actual experience.

7. Endeavor to achieve satisfactory performance from each of the contractors. Recommend courses of action to the owner when requirements of a contract are not being fulfilled, and the non-performing party will not take satisfactory corrective action.
8. Review and refine the approved estimate of construction cost, incorporate approved changes as they occur, and develop cash flow reports and forecasts as needed.
9. Provide regular monitoring of the approved estimate of construction cost, showing actual costs for activities in progress and estimates for uncompleted tasks. Identify variances between actual and budgeted or estimated costs, and advise the Owner and the Architect whenever projected costs exceed the budgets or estimates.
10. Maintain cost accounting records on authorized work performed under unit costs, additional work performed on the basis of actual costs of labor and materials, or other work requiring accounting records.
11. Recommend necessary or desirable changes to the Architect and the Owner, review requests for changes, assist in negotiating contractor's proposals, submit recommendations to the Architect and the Owner, and if they are accepted, prepare and sign change orders for the Architect's signature and the Owner's authorization.
12. Develop and implement procedures for the review and processing of applications by contractors for progress and final payments. Make recommendations to the Architect for certification to the Owner for payment.
13. Review the safety programs developed by each of the contractors as required by their contract documents and coordinate the safety programs for the project.
14. If required, assist the owner in selecting and retaining the professional services of surveyors, special consultants and testing laboratories. Coordinate their services.
15. Implement and administer an Employment Opportunities Program for the Project that fosters meaningful minority and women owned business participation from the perspective of employment and contracting in accordance with Erie County Local Law and Article 15-A of the New York State Executive Law.
16. Comply with County of Erie Executive Order 13 dated November 6, 2014, which determines that each contractor and subcontractor must certify that they are in compliance with federal law, including the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, Federal Executive Order 11246 of September 24, 1965 and New York State Labor Law Section 194 (together "Equal Pay Law").
17. Determine, in general, that the work of each contractor is being performed in accordance with the requirements of the contract documents. Endeavor to guard the owner against defects and deficiencies in the work. As appropriate, require special inspection or testing, or make recommendations to the Architect regarding special inspection or testing of work not in accordance with the provisions of the contract documents whether or not such work is then to be fabricated, installed or completed. Subject to review by the Architect, reject work which does not conform to the requirements of the contract documents.
18. Consult with the Architect and the Owner if any contractor requests interpretations of the meaning and intent of the drawings and specifications, and assist in the resolution of questions which may arise. Receive certificates of insurance from the contractors, and forward them to the Owner with a copy to the Architect.

19. Receive from the contractors and review all shop drawings, product data, samples, and other submittals for conformance with the contract documents and transmit to the Architect those recommended for approval. In collaboration with the Architect, establish and implement procedures for expediting the processing and approval of shop drawings, product data, samples and other submittals.
20. Record the progress of the project. Submit monthly written progress reports to the Owner and the Architect including information on each contractor and each contractor's work, as well as the entire project, showing percentages of completion and the number and amounts of change orders. Keep a daily log containing a record of weather, contractor's work on the site, number of workers, work accomplished, problems encountered, and other similar relevant data as the Owner may require. Make the log available to the Owner and the Architect and provide one complete log to the Owner at the completion of the project.
21. Maintain, at the project site, on a current basis, a record copy of all contracts, drawings, specifications, addenda, change orders and other modifications, shop drawings, product data, samples, submittals, purchases, materials, equipment, applicable handbooks, maintenance and operating manuals and instructions, and other related documents and revisions which arise out of the contracts or work. Keep in good order and marked to record all changes made during construction, maintain records, in duplication, of principal building layout lines, elevations, of the bottom of footings, floor levels and key site elevations certified by a qualified surveyor or professional engineer. Make all records available to the Owner and the Architect. At the completion of the project, deliver all such records to the Architect for the Owner.
22. Arrange for delivery and storage, protection and security for owner purchased materials, systems and equipment that are a part of the project, until such items are incorporated into the project.
23. With the Architect and the Owner's maintenance personnel, observe the contractor's checkout of utilities, operational systems and equipment for readiness and assist in their initial start-up and testing and arrange for and schedule all equipment and systems, demonstrations, and instructional periods.
24. When the Construction Manager considers each contractor's work or a designated portion thereof substantially complete in accordance with the DPW General Conditions, the Construction Manager shall notify the Architect and the Owner and assist the Architect in preparing a list of incomplete or unsatisfactory items and a schedule for their completion. After the Architect certifies the date of Substantial Completion of the work, the Owner shall issue a Notice of Substantial Completion. The Construction Manager shall then coordinate the correction and completion of the work and make recommendations for final payment. Prepare for the Architect a summary of the status of the work of each contractor at the time of substantial completion and at completion.
25. Following the Architect's issuance of a Certificate of Substantial Completion of the project or designated portion thereof, evaluate the completion of the work of the contractors and make recommendations to the Architect when work is ready for final inspection and assist the Architect in conducting final inspections. Secure and transmit to the owner all required guarantees, affidavits, releases, bonds and waivers. Deliver all keys, manuals, record drawings and maintenance stocks to the Owner. When each contractor is ready for final payment, mutually with the Architect, notify the Owner.

26. A similar process shall be used during the final closeout of the project to periodically reduce the contractor's retainage.
27. The extent of duties, responsibilities and limitations of authority of the Construction Manager as a representative of the owner during construction shall not be modified or extended without the written consent of the owner.

4. TEAM PROFILE

- A. A description and brief history of your organization, affiliates, and principals, together with similar information pertaining to any consultants that you would have as part of your team. Number and title of employees in firm.
- B. Provide a list of staff and disciplines that would be committed on this project during the Design and Construction Phases. Identify individuals and qualifications. Clearly state who the Principal-in-charge, Project Manager, and key staff will be. A profile of each individual shall be included in the proposal. Key personnel should be present at the interview if the firm is selected.
- C. List any subcontractors you intend to provide and list information requested in (B) above.
- D. Minority and Women Owned Business Participation:
 - i. In order to comply with Erie County Local Law and Article 15-A of the New York State Executive Law, for purposes of this Contract, The County of Erie and New York hereby establishes an overall goal of not less than 20% for Minority and Women-Owned Business Enterprises ("MWBE") participation, 13% for Minority-Owned Business Enterprises ("MBE") participation and 7% for Women-Owned Business Enterprises ("WBE") participation. Subconsultant's New York State Certification of MWBE/WBE is required.
 - ii. In order to comply with the County of Erie, Executive Order 13 dated November 6, 2014, each contractor and subcontractor must certify that they are in compliance with federal law, including the Equal Pay Act of 1963, Title VII of the Civil Rights Act of 1964, Federal Executive Order 11246 of September 24, 1965 and New York State Labor Law Section 194 (together "Equal Pay Law").
- E. A disclosure indicating, by name, any principal or staff member presently employed by your firm who was employed by the County of Erie in the year prior to the date of this RFP. This disclosure shall also include the individual's title and the department within the County of Erie for whom the employee worked. State any potential conflicts of interest

5. RELEVANT EXPERIENCE

Provide a list of at least ten (10) similar projects (Similar size projects, with equal time lines and budgets at University and College Technology and Science Lab Buildings, Academic and Research Facilities, Schools etc.) for which the firm provided construction management services in the last 10 years. State the firm's responsibility (ie: Prime consultant, Member of a joint venture, Sub-consultant etc.) Also, to be included are: construction costs of the specific project, client name and the year of construction. Describe any unique experience your firm has with this type of work which would benefit this project.

6. REFERENCES

The Candidates are required to provide at least five (5) project specific references based on relevant past experience. Please state the following information for every reference listed.

FIRM OR AGENCY NAME:
CONTACT PERSON (NAME AND TITLE):
ADDRESS
TELEPHONE NUMBER:
FAX NUMBER:
E-MAIL ADDRESS:

7. QUALITY ASSURANCE AND CONTROL

The selected Team must address their approach to Quality Control and Assurance. A detailed discussion of the methodology to be used must be included.

8. MANPOWER COMMITMENT

Provide a statement clearly indicating that your team has the capacity to implement the project within the Proposed Project Work Plan and Proposed Project Schedule. Additionally, indicate the location of the office(s) where the work would be performed.

List current or anticipated obligations, which will require professional or technical manpower commitments from the same office that will be utilized for this project. Indicate the size of these jobs and their aggregate manpower requirements.

Detail anticipated manpower requirements according to task.

Dated: December 22, 2014